



THESE ARE THE MINUTES OF THE **PLAN REVIEW BOARD** MEETING HELD ON THURSDAY, **JULY 23, 2020** AT 4:30 P.M. IN THE COMMON COUNCIL CHAMBERS OF CITY HALL, 2000 NORTH CALHOUN ROAD, BROOKFIELD, WISCONSIN

MAYOR STEVE PONTO PRESIDING

MEMBERS PRESENT: Alderman Rick Owen,  
Commissioner Mike Smith (3 members physically  
present to meet quorum)

STAFF PRESENT: Building & Zoning Administrator Larry  
Goudy, Administration, Economic Development  
Coordinator Todd Willis, Administration & Licensing Clerk  
Mary Schulz

## **1. Roll Call**

Mayor Ponto called the Plan Review Board meeting to order at 4:32 p.m. A quorum was present.

## **2. Announcements**

- a. Approval of these items must also be given at the regular Plan Commission meeting of August 10, 2020 and the Common Council meeting of August 18, 2020.
- b. The next regularly scheduled Plan Review Board meeting will be held on August 20, 2020.

## **3. New Business**

### **a. North Star American Bistro: temporary use permit**

Request of North Star American Bistro, for a temporary use permit to operate an outdoor beer, wine and food area at 18985 W. Capitol Drive.

Larry Goudy reported: 1. The proposed area is the green space, East of the restaurants parking lot.

2. Proposed hours of operation are noon to 10:00 p.m., Wednesday thru Sunday.
3. The event is proposed to run between August 1<sup>st</sup> and September 27<sup>th</sup> (if approved, it would not get Council approval until August 18<sup>th</sup>).
4. North Star is proposing an area of 25 tables, 15 of them under a tent. A total of 150 seats will be placed.
5. Restrooms will be available in the restaurant.
6. There is adequate parking throughout the center.

7. The applicant is proposing to have a stereo and/or television to show sporting events in the tent.
8. Alcohol will be served by licensed bartenders.
9. Anticipated attendance is 25-100 per day.

Recommendation: Staff recommends approval subject to Police and Fire Department comments and liquor license expansion. The Fire and Police Departments have reviewed the request and have no concerns.

Mike Stoner and Dan O'Neil, owners, appeared before the board for comments and/or questions.

Alderman Owen commented that to benefit the owners, they would want the event to start on August 1, 2020. Can we do anything on an administrative level to make this happen?

Mr. Goudy noted that both applicants have a desire to get approval as soon as possible, which is the Common Council meeting of August 18, 2020. Todd Willis stated he is working with the applicant to get that accomplished. Alderman Owen said the city wants to support local businesses, possibly have a short Zoom meeting of the Common Council. Mayor Ponto questioned if this item will go to the Plan Commission if acted on by the Common Council. Mr. Goudy stated 'no, it would go directly to the Common Council, but it does not save time as the council meeting is on August 18, 2020.

Mayor Ponto felt he could try to get a Special Common Council meeting together via Zoom to consider the item sooner. He suggested proceeding with the item as is and hope to get a special meeting together. Mr. Stoner appreciated the board for expediting their request. There is limited time to pull this off. Commissioner Smith added he understands that businesses need help now and want to generate more traffic.

Mr. Goudy stated the motion should identify the board's interest to bypass the Plan Commission and forward it straight to Common Council, if possible. If a Zoom meeting were not possible, the item would take the normal course.

**Motion by Smith, seconded by Owen to approve staff's recommendation with the contingent of scheduling a Zoom meeting of the Common Council to bypass the normal Plan Commission and Common Council meeting. Motion carried 3-0.**

**b. Pistol Pete's Neighborhood Grill: temporary use permit**

Request of Pistol Pete's Neighborhood Grill, for a temporary use permit to operate a classic car and bike night and live music at 16755 W. Lisbon Road.

Larry Goudy reported: 1. The applicant would like to provide live music for their outdoor customers

2. Proposed hours of operation are 3:00 pm. To 11:00 p.m., Thursday through Sunday.
3. The event is proposed to run between asap and October 15th (if approved, it would not get Council approval until August 18<sup>th</sup>).
4. No additional seating is proposed (premise extension granted by common council already on the West side of the building).
5. Restrooms will be available in the restaurant
6. There is adequate parking throughout the center and additional parking in the lot to the West
7. Alcohol will be served by licensed bartenders.
8. Anticipated attendance is 50-100.

Mr. Goudy added the report was thrown together at the last minute; therefore, it is missing some information. The applicant is proposing two different events. One is a car and bike event and the other is the barbeque event.

Mr. Willis noted during the planning stage, they were looking at August 20<sup>th</sup> for the car and bike show and August 27<sup>th</sup> for the barbeque event due to the timing of the Common Council meeting on August 18<sup>th</sup>. The applicant wants to draw people out, but at the same time allow for social distancing. Originally, they were planning to have the car and bike event on a Thursday and have the barbeque event the following weekend, on Friday and Saturday. If a Zoom meeting is possible, both events could be stagger out and would give the owner an idea of customer base.

Mr. Goudy added that Pistol Pete's operated a car and bike show for eight to nine years and stopped about 7 years ago. He would like further information from the applicant on how the outside music would be set up. In the past, the city received some complaints about noise. He would recommend approval subject to a 10:00 p.m. shut down of outdoor amplified music and input/comments from the Fire and Police departments. He felt the parking was addressed appropriately.

Recommendation: The urgency of this request has left us with some unanswered questions that need to be resolved at the meeting. The car & bike show operated for years at this location, one day a week. Staff recommends approval subject to a 10:00 p.m. shut down, defined one day a week car & bike gathering, and all Police and Fire Department comments.

Peter Faraciano, owner, appeared before the board for comments and/or questions.

Mr. Faraciano stated he understands the city is concerned with social distancing. His business is at 40% right now. More people want to be outside than inside. Many communities are having beer gardens. If the city doesn't want to go in this direction, he will end up shutting down. He is trying to create something to draw people outside, and do social distancing. He noted he has not had any issues with the car and bike events in the past. Time is of the essence. He is trying to generate business; trying to hit people every which way he can. He wants to keep business in the city.

Mr. Faraciano noted his business has been in the city for 21 years and his parents had been here for 46 years. He is proud of living in the city. He has had no problem working with staff, who have been very helpful. He added that he was doing 600 fish fry's on a Friday. These are his patrons. When he is down to 200 – 300 fish fry's, this is a huge loss. He has not ordered beer or liquor in 30 days. The food costs have hit the skies.

Mayor Ponto wanted clarification on when the events would be scheduled. Mr. Faraciano stated the car and bike show would be on Thursdays. On Friday's, he wanted to have a DJ with music to draw people in. Then on Saturday's he would have a pig roast/barbeque to get people out. He would like to have every other weekend to see what type of turnout he gets.

Alderman Owen commented that he understands the applicant wanting the events as soon as possible. There was confusion on how many events were proposed for one week. Mr. Faraciano noted he did not have his application in on a timely manner and originally wanted his request on the Common Council meeting of July 21<sup>st</sup>. Then, he was told that his request would appear on the August 18<sup>th</sup> Common Council agenda. He stressed he does not have 30 days. He needs to create money now. Alderman Owen stated this item can 'piggy back' the previous request of North Star American Bistro for a special Common Council meeting via Zoom. Other issues can be worked out with staff. The board agreed with Mr. Faraciano regarding keeping people in the city to patron city businesses, as long as rules/procedures are followed.

Mayor Ponto wanted clarification on staff's recommendation. Mr. Goudy said staff did not know at the time of writing the staff' report, what day the car and bike show was, it was open ended. The car and bike show will be on Thursday's. The board has to determine if they are comfortable approving the concept of Thursday, Friday and Saturday outside entertainment. He wanted Mr. Faraciano to explain how live music would be handled at this venue.

Alderman Owen agreed with Mr. Goudy stating he represents the second aldermanic district, where Pistol Pete's is located, and wants a better understanding of how the live music will be handled. Mr. Faraciano replied on Thursday there would be house music, which is background music and not very powerful/loud. People want to talk and walk around to look at cars/bikes. There would be live music on Fridays and Saturdays with 10:00 p.m. shut down of music. Mr. Goudy added the seating for Friday and Saturday events is restricted to the outdoor deck and expanded premise areas. Mr. Faraciano added speakers are on the decks and in the soffits. Live music will be a DJ on Friday nights and every other week have a live band on Saturday. There is a back double door at the west end of the building. The band would be placed at the southwest corner. The music would be aimed towards the building to the West.

**Motion by Owen, seconded by Smith to approve the Thursday night car and bike shows, Friday and Saturday night live music events that stops at 10:00 p.m. and limited to the area of the existing outdoor seating and extended**

**premises for food and alcohol, and liquor license to be expanded for the car and bike show. Motion carried 3-0.**

**Motion by Owen, seconded by Smith to adjourn the Plan Review Board meeting. Motion carried 3-0. 5:05 p.m.**

Minutes respectfully submitted by Mary Schulz CAP, Administration & Licensing Clerk